

PRESS RELEASE
IOWA BOARD OF MEDICINE
(November 18, 2008)

Recently, the Iowa Board of Medicine took the following action:

Russell H. Berke: On November 13, 2008, the Board issued Mr. Berke a Notice to Cease and Desist from engaging in the practice of medicine in Iowa. The Board received information which indicates that Mr. Berke has provided medical advice and treatment to members of the public without being licensed to practice medicine in Iowa. The Board received information which indicates that Mr. Berke holds himself out as an energy healer and offers services in Fairfield, Iowa. The information indicates that Mr. Berke performs examinations, diagnoses medical conditions, and makes treatment recommendations. The Board also received information which indicates that Mr. Berke discouraged an individual from seeking traditional medical interventions. If the Board receives information that Mr. Berke has engaged in the unauthorized practice of medicine in Iowa in the future, a civil injunction action may be filed against him by the office of the Iowa Attorney General, and/or the case may be referred to the county attorney for consideration of criminal prosecution.

John B. Byrd, M.D., a 64 year-old family physician who practiced medicine in Northwood, Iowa, had formal disciplinary charges filed against him by the Board. On November 13, 2008, the Board charged Dr. Byrd with substance abuse and violating the terms and conditions of an Initial Agreement that he entered into with the Iowa Physician Health Program (IPHP). On April 2, 2008, Dr. Byrd was charged with operating a motor vehicle while under the influence of alcohol (OWI). On May 8, 2008, Dr. Byrd entered into an Initial Agreement with the IPHP for substance abuse assessment and monitoring and he agreed to fully comply with the Initial Agreement. Recently, the IPHP voted to refer Dr. Byrd to the Board for formal disciplinary action after he violated the Initial Agreement when he refused to complete residential substance abuse treatment. A hearing has been scheduled on January 14, 2009.

Frank S. Downs, M.D., a 61 year-old physician who practices family medicine in Boone, Iowa, had formal disciplinary charges filed against him by the Board. On November 13, 2008, the Board charged Dr. Downs with suffering from a mental health condition, substance abuse and for violating the terms and conditions of an Initial Agreement that he entered into with the Iowa Physician Health Program (IPHP). On April 19, 2008, Dr. Downs was charged with operating a motor vehicle while under the influence of alcohol (OWI). On April 30, 2008, Dr. Downs entered into an Initial Agreement with the IPHP for mental health and substance abuse assessment and monitoring and he agreed to fully comply with the Initial Agreement. Recently, the IPHP voted to refer Dr. Downs to the Board for formal disciplinary action after he violated the Initial Agreement when he refused to enter into an IPHP Physician Health Contract for further substance abuse and mental health monitoring. A hearing has been scheduled on January 14, 2009.

David K. Jones, M.D., a 42 year-old physician who practices medicine in Des Moines, Iowa, had formal disciplinary charges filed against him by the Board. On November 13, 2008, the Board charged Dr. Jones with violating a Board order. On April 29, 2005, Dr. Jones entered into a Physician Health Contract with the Iowa Physician Health Program (IPHP) and he agreed to fully comply with the IPHP mental health and substance abuse treatment and monitoring requirements. On August 24, 2007, the IPHP referred Dr. Jones to the Board for disciplinary action for violating the terms of his Physician Health Contract. On September 13, 2007, the Board filed formal disciplinary charges against Dr. Jones for violating the terms of the Physician Health Contract. On November 8, 2007, Dr. Jones entered into a Settlement Agreement with the Board to resolve the pending disciplinary charges. Dr. Jones was placed on probation for a period of five years subject to substance abuse and mental health monitoring and he was required to fully comply with the Board's drug screening program. The Board recently reviewed information which indicates that Dr. Jones failed to properly call into the Board's drug screening program on at least thirteen occasions between November 8, 2007, and the present. A hearing has been scheduled on January 14, 2009.

Tamvra L. Mouginis, M.D., a 53 year-old physician who formerly practiced anesthesiology in Waterloo, Iowa, had formal disciplinary charges filed against her by the Board. On November 13, 2008, the Board charged Dr. Mouginis with engaging in unprofessional conduct and with violating Iowa law. On June 18, 2008, Dr. Mouginis was arrested and charged with Possession of Marijuana in violation of Iowa Code section 124.401(3) M and Possession of Drug Paraphernalia in violation of Iowa Code section 124.414, in Black Hawk County, Iowa. Dr. Mouginis declined to self-report to the Iowa Physician Health Program. A hearing has been scheduled on January 14, 2009.

Jerry W. Scheppele: On November 13, 2008, the Board issued Mr. Scheppele a Notice to Cease and Desist from engaging in the practice of medicine in Iowa. The Board received information which indicates that Mr. Scheppele has provided medical advice and treatment to members of the public without being licensed to practice medicine in Iowa. The Board received information which indicates that Mr. Scheppele provided medical services at the Razors Edge Beauty Shop in Calmar, Iowa. The information indicates that Mr. Scheppele performed examinations, including "blood readings", diagnosed medical conditions, and made treatment recommendations. The information indicates that Mr. Scheppele performs finger pin pricks and places the blood on a glass slide. He then places the glass slide under a microscope that projects the blood on a television screen. He then points out concerns about the shape and movement of the blood cells and provides treatment recommendations. If the Board receives information that Mr. Scheppele has engaged in the unauthorized practice of medicine in Iowa in the future, a civil injunction action may be filed against him by the office of the Iowa Attorney General, and/or the case may be referred to the county attorney for consideration of criminal prosecution.